

ASSEMBLY BILL

No. 1470

Introduced by Assembly Member Vargas

February 21, 2003

An act to add Section 12302.35 to the Welfare and Institutions Code, relating to in-home supportive services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1470, as introduced, Vargas. In-home supportive services: provider wage and benefit increases: voter initiative.

Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization.

Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium. Existing law requires that the counties and the state share the annual cost of providing IHSS services in accordance with specified requirements.

Existing law provides that when any increase in IHSS provider wages or benefits is negotiated or agreed to by a public authority or nonprofit consortium, the county shall use county-only funds for the state and county share of any increase of the cost of the program, unless otherwise provided in the Budget Act or appropriated by statute, and establishes a formula with regard to state participation for increases for which an appropriation is provided.

This bill would authorize, in any county, the increase in in-home supportive services wages, benefits, or both, by voter initiative to the same extent that these wages and benefits may be increased by the board of supervisors under the IHSS program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) California counties have varying costs of living, levels of
4 employment, and labor pools with different skill levels.

5 (2) These differences result in fluctuating degrees of difficulty
6 in attracting persons to provide quality in-home supportive
7 services for low-income seniors and persons with disabilities.

8 (3) In order to remedy this situation with respect to the City and
9 County of San Francisco, the Legislature enacted Section 12302.3
10 of the Welfare and Institutions Code to provide specific authority
11 to permit the increase of wages for in-home supportive services
12 providers in that county.

13 (b) It is the intent of the Legislature in enacting this act to create
14 an ongoing remedy for the situation described in subdivision (a)
15 with respect to all California counties.

16 SEC. 2. Section 12302.35 is added to the Welfare and
17 Institutions Code, to read:

18 12302.35. Notwithstanding the authority of the board of
19 supervisors in this article and the authority of the board of
20 supervisors with respect to county expenditures pursuant to
21 Division 3 (commencing with Section 29000) of Title 3 of the
22 Government Code, in any county, in-home supportive services
23 wages, benefits, or both, may be increased by voter initiative to the
24 same extent that the wages and benefits may be increased under
25 this article by the board of supervisors.

